

**RESOLUTION GRANTING SITE PLAN RE-APPROVAL
FOR A 124 UNIT RESIDENTIAL CONDOMINIUM**

*Covington Estates
PB #01-41*

WHEREAS, an application was made to the Planning Board of the Town of New Windsor for approval of a site plan by RRMGNWH, LLC (the "applicant") for a project described as the "Covington Estates 124 Unit Residential Condominium";

WHEREAS, the subject site consists of three tax map parcels in the Town of New Windsor identified on the tax map as section 65, block 2, and lots 1.1, 1.2 and 3 (SBL 65-2-1.1, 65-5-1.2 & 65-2-3); and

WHEREAS, the action presently before the Board involves a request for the reissuance of site plan approval for a 124 unit residential condominium site plan which was previously approved and expired on February 25, 2008; and

WHEREAS, the applicant has previously submitted a fully executed Environmental Assessment Form ("EAF") pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Planning Board previously conducted a coordinated SEQRA review for this project; and

WHEREAS, On March 8, 2006 the Town of New Windsor granted Final Site Plan Approval conditioned upon New Windsor Town Board approval of water and sewer district extension, issuance of NYSDOT Highway Work Permits, review of final plans for compliance, approval of fire inspector of 911 policy compliance, submittal of a bond estimate in accordance with Town Code Chapter 137 and payment of all applicable fees and submittal of any documents required by the Town of New Windsor for offers of dedication or easements; and

WHEREAS, the site plan approval expired before all of the conditions could be met; and

WHEREAS, the applicant proposes no changes to the previously approved site plan; and

WHEREAS, there have been no changes to any zoning or land use law that would require re-evaluation or modification to the previously approved site plan; and

WHEREAS, the Planning Board has heretofore determined that the Proposed Action minimizes or avoids significant environmental impacts and, adopted a Negative Declaration as part of the approval of site plan.

NOW, THEREFORE, the Planning Board (1) waives a second public hearing pursuant to its discretion to do so, (2) reaffirms its prior negative declaration under SEQRA, and (3) finds that the applicant has satisfied the requirements of Town Code § 300-86 and re-approves the site plan subject to the following terms and conditions:

1. The applicant shall pay all applicable outstanding fees due the Town in connection with this application;
2. The applicant shall submit, for final review, a plan set for compliance with all previous comments and requirements by the Engineer for the Planning Board. The applicant shall make any required revisions to the site plan to the satisfaction of the Planning Board Engineer and Planning Board Attorney;
3. The applicant shall secure all necessary permits, approvals and authorizations required from any other agency, if required, including the Highway Work Permit from the NYSDOT prior to the issuance of any building permits.
4. The Planning Board shall require that a bond estimate be submitted for this Site Plan in accordance with in accordance with Chapter 137 of the Town Code, and that a bond, in amount and form acceptable to the Town Engineer and Town Attorney, be submitted prior to the issuance of any building permits.
5. The applicant shall obtain approval from the Fire Inspector to verify that the numbering and road names have been approved in conformance with the 911 Policy of the Town.
6. The applicant shall enter into a developer's agreement with the Town Board regarding the payment of any off-site improvement costs.
7. The applicant shall submit any documents required by Town for offers of dedication or easements.

8. The applicant shall submit proof of satisfaction of the foregoing conditions and submit a site plan for signature within 360 days of the date of this resolution.

AND BE IT FURTHER RESOLVED, that the Planning Board hereby grants all permitted extensions and that this approval authorizing the chairman's signature on the site plan shall expire on February 21, 2009; no further extensions can be made.

Upon motion made by Member Schlesinger, seconded by Member Gallagher, the foregoing resolution was adopted as follows:

Member, Daniel Gallagher Aye Nay Abstain Absent

Member, Howard Brown Aye Nay Abstain Absent

Member, Neil Schlesinger Aye Nay Abstain Absent

Member, Henry Vanleeuwen Aye Nay Abstain Absent

Chairman, Genaro Argenio Aye Nay Abstain Absent

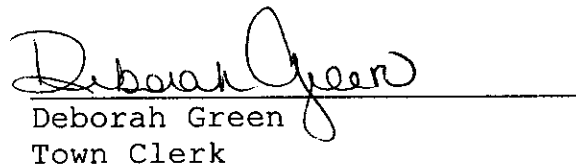
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Alternate, Henry Schieble Aye Nay Abstain Absent

Dated: February 27, 2008
 New Windsor, New York


Genaro Argenio, Chairman

Filed in the Office of the Town Clerk on this 12th day
of ~~February~~, 2008.
March


Deborah Green
Town Clerk